

**DESOTO COUNTY BOARD OF SUPERVISORS**  
**BOARD MEETING MINUTES**

**JESSIE L. MEDLIN, PRESIDENT, PRESIDING**

**October 6, 1999**

**A. CALL TO ORDER**

The October 6, 1999, meeting of the DeSoto County Board of Supervisors was called to order by Supervisor Jessie L. Medlin of DeSoto County.

Sheriff James Albert Riley, DeSoto County Sheriff was present and did open the DeSoto County Board of Supervisors meeting in a regular session to hear any and all business to come before the Board. The following were present:

Supervisor Jessie Medlin-----District 1  
Supervisor Eugene C. Thach-----District 2  
Supervisor Jimmy James-----District 3  
Supervisor John Caldwell-----District 4  
Supervisor Tommy Lewis-----District 5  
W. E. "Sluggo" Davis-----Chancery Clerk  
David Armstrong-----County Administrator  
James Albert Riley-----DeSoto County Sheriff  
William Austin-----Board Attorney

**B. INVOCATION**

The invocation was presented by Chancery Clerk Sluggo Davis.

**C. PLANNING COMMISSION**

The Planning Commission brought several items before the Board of Supervisors as evidenced by the portion of the minutes submitted by the Planning Commission.  
**\*\*See Exhibit C\*\***

**D. BID OPENING - STATE AID**

**Project Number DECD-0017(29)D - Remainder of Polk Lane and Stateline Road**

Mr. Dan Tolar of State Aid, and County Engineer Daniel Murphy came before the Board of Supervisors for Bid Opening of #DECD-0017(29)D. Mr. Tolar said the State Aid estimate for the project is \$ 2,892,398.00.

Mr. Tolar said ten (10) bids were received and opened at 10:00 a.m. on the State Aid Project #DECD-0017(29)D. Mr. Tolar stated the bids were received as follows:

Camco Construction	\$ 2,851,438.06
Talbot Brothers	\$ 2,522,347.91
W & W Construction	\$ 2,799,192.32
M & H Construction	\$ 2,561,816.21

**ITEM D, CONTINUED,**

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Chancellor & Sons, Inc.	\$ 3,006,268.77
Edevco Inc.	\$ 2,739,336.25
Farrell Paving	\$ 2,671,724.29
Gray Corporation	\$ 2,577,062.07
Utah Construction	\$ 2,899,228.59
Hill Brothers Construction	\$ 2,719,633.20

This project if for the remainder of Polk Lane to the State line.

Supervisor John Caldwell made the motion and Supervisor Jimmy James seconded the motion to take bids under advisement. The **motion passed** by a vote as follows:

Supervisor Jessie Medlin-----YES  
Supervisor Eugene Thach-----ABSENT  
Supervisor Jimmy James-----YES  
Supervisor John Caldwell-----YES  
Supervisor Tommy Lewis-----ABSENT

Later in the meeting, and at the recommendation of State Aid Representative Dan Tolar, and County Engineer Daniel Murphy, Supervisor John Caldwell made the motion, and Supervisor Jimmy James seconded the motion to award State Aid Project #DECD-0017(29)D to Talbot Brothers as the low bidder to meet the bid specifications for this project at a corrected bid of \$ 2,522,092.85. The **motion passed** by unanimous vote.  
**\*\*SEE EXHIBIT D\*\***

Bill Bayne of the Commercial Appeal asked how long it will take to issue the Notice to Proceed. The Board of Supervisors said it should be issued immediately.

## E. OLD BUSINESS

### 1. Insolvency List - Tax Collector

Tax Collector Joey Treadway presented the Insolvency List for FY99 to the Board of Supervisors. Mr. Treadway said that the delinquent taxes total approximately \$272,000 at the end of FY99 but that his office will continue to collect the taxes. Mr. Treadway said that 95% of the taxes will probably be collected. He said that his office sent registered letters to individuals who wrote bad checks for property taxes and automobile tags. He said that the real property will eventually be sold at a special tax sale. He said the bad checks written for auto tags will go through the district attorney's office. Mr. Treadway said that those individuals who owe delinquent taxes or those who have written bad checks will be tagged in the state computers so that they will be unable to pay taxes in any other county in Mississippi. Mr. Treadway did not present a formal report or affidavit, but reported he is continuing to collect taxes.

The Tax Collector said the County made \$18,000.00 at the land sale.

In accordance with Section 27-49-1 of the Mississippi Code, The Board of Supervisors accepted the verbal report offered by the Tax Collector. Supervisor John Caldwell made the motion and Supervisor Eugene Thach seconded the motion to accept the Insolvency List for FY99 into the minutes. The **motion passed** by a unanimous vote. **\*\*See Exhibit E.1\*\***

### 2. Jail Inspection

In accordance with Section 19-5-1 of the Mississippi Code Annotated of 1972, which states that

## ITEM E.2, CONTINUED,

a least annually, and as often as it may think proper, the Board of Supervisors, or a competent

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person authorized by the Board of Supervisors, shall examine into the state and condition of the jail, in regard to its safety, sufficiency and accommodation of the prisoners, and from time to time take such legal measures as may best tend to secure the prisoners against escape, sickness and infection, and have the jail cleansed.

Having completed such inspection, Supervisor John Caldwell made the motion and Supervisor Eugene Thach seconded the motion to acknowledge the inspection of the DeSoto County jail by the Board of Supervisors as outlined in Section 19-5-1 of the Mississippi Code Annotated. The **motion passed** by a vote as follows:

Supervisor Jessie Medlin-----ABSENT  
Supervisor Eugene Thach-----YES  
Supervisor Jimmy James-----ABSENT  
Supervisor John Caldwell-----YES  
Supervisor Tommy Lewis-----ABSTAIN

**\*\* See Exhibit E.2.\*\***

**3. Approval of Invoice for Allen and Hoshall**

- a. Jail Renovations**
- b. Administration Building**

Supervisor Jimmy James made a motion and Supervisor John Caldwell seconded the motion to pay the invoices from Allen and Hoshall for the Jail Renovations and the Administration Building and authorized the clerk to write the checks. The **motion passed** by a unanimous vote. **\*\*See Exhibit E.3.a. and E.3.b\*\***

**4. Legislative Wish List**

Vanessa Lynchard said that the Board Attorney Bill Austin has identified a potential liability facing county governments concerning death row appeals. Board Attorney Bill Austin said that he thinks it is a good idea to add this to the Wish List. Vanessa said that Circuit Judge George Ready also thought this legislation could have a significant impact on DeSoto County inmates. She said Judge Ready also suggested going through MAS to get this accomplished. At the recommendation of Board Attorney Bill Austin, Supervisor Tommy Lewis made a motion and Supervisor Jimmy James seconded the motion to add death row appeals to the Legislative Wish List. The **motion passed** by a unanimous vote. **\*\*See Exhibit E.4.\*\***

Ellen Meachum of the DeSoto Times asked if there was anything added to the Wish List about mentally ill patients. Vanessa Lynchard said that it was added to the Wish List and that she could come by to get an updated copy of the Wish List.

**5. Central Maintenance - Request to Replace Trees and Landscaping**

Vanessa Lynchard notified the Board of Supervisors that she had requested an estimate from Trees by Touliatos but not gotten an estimate back yet. She said that she had spoken to Joy at the Extension Service and she said that Ozzie at TriCity had the red cedars and that they are \$60.00 each installed.

Supervisor Eugene Thach asked if the trees that were killed are on the right of way. Vanessa said that they are not on the right of way.

**ITEM E.5, CONTINUED,**

Vanessa said that the prices to replace the trees does not include watering. She said that the trees will still have to be watered if they are planted in November and there is little or no rain.

Supervisor Tommy Lewis said that the best time to plant the trees is at the end of January.

Supervisor John Caldwell made a motion and Supervisor Tommy Lewis seconded the motion to carry this issue over. The **motion passed** by a unanimous vote. **\*\*See Exhibit E.5\*\***

**6. Requests for Proposals for Contract Grant Writer**

County Administrator David Armstrong informed the Board of Supervisors that he had made the requested changes to the request for proposals for grants. Supervisor John Caldwell asked if it was expanded to include other grant programs. Mr. Armstrong said that it was expanded to include all grant programs and not just the CDBG Program. Supervisor John Caldwell made a motion and Supervisor Eugene Thach seconded the motion to accept requests for proposals for grant programs. The **motion passed** by a vote as follows:

Supervisor Jessie Medlin-----YES  
Supervisor Eugene Thach-----YES  
Supervisor Jimmy James-----YES  
Supervisor John Caldwell-----YES  
Supervisor Tommy Lewis-----ABSENT

**\*\*See Exhibit E.6\*\***

**7. Petition to Adopt Russell Cove**

Vanessa Lynchard notified the Board of Supervisors that Supervisor Tommy Lewis and Supervisor Jimmy James were appointed as the committee to inspect Russell Cove. Supervisor John Caldwell made a motion and Supervisor Jimmy James seconded the motion to carry this issue over. The **motion passed** by a vote as follows:

Supervisor Jessie Medlin-----YES  
Supervisor Eugene Thach-----YES  
Supervisor Jimmy James-----YES  
Supervisor John Caldwell-----YES  
Supervisor Tommy Lewis-----ABSENT

**\*\*See Exhibit E.7\*\***

**F. NEW BUSINESS**

**1. Yearly Inventory Inspection Report**

Inventory Clerk Bonnie Gatlin presented the Yearly Inventory Inspection Report for FY99 to the Board of Supervisors. Ms. Gatlin said that she had completed a 100% hands-on inventory check. Supervisor John Caldwell asked if the report was what the state requires. Vanessa Lynchard said that it was. In accordance with Section 31-7-107 of the Mississippi Code, which states that the inventory control clerk, pursuant to regulations promulgated by the State Auditor, shall perform physical inventories of assets of the county on or before October 1 of each year and shall file with the Board of Supervisors, in triplicate, a written report of such inventory, Supervisor John Caldwell made a motion and Supervisor Jimmy James seconded the motion to accept the Yearly Inventory Inspection Report into the minutes. The **motion passed** by a unanimous vote. **\*\*See Exhibit F.1\*\***

**ITEM F.2, CONTINUED,**

**2. Tax Assessor - Reappraisal Update**

County Administrator David Armstrong presented figures for the reappraisal update from Bill Bryant. Mr. Armstrong said that it was a three year project and that \$260,000.00 is included

for expenses during the FY00 Budget, which is 1/3 of the cost. He said that Bill Bryant will have an estimate of the number of hours the project will take at the next meeting. No motions or votes were taken on this issue. **\*\*See Exhibit F.2\*\***

**3. Budget Amendment - PBX**

In accordance with the provisions set forth in Section 19-11-11 of the Mississippi Code, the Board of Supervisors did discuss an amendment to the budget for the Fiscal year beginning October 1, 1999, and ending September 30, 2000. At the recommendation of the Comptroller, Dale Thompson, Supervisor Jimmy James made the motion and Supervisor Jessie Medlin seconded the motion to approve the budget amendment for PBX and EMS under the provisions of Mississippi Code of 1972, Annotated, Section 19-11-19 as follows:

Decrease	001-157-436	PBX Part-Time Employee	\$ 7,500.00
Decrease	001-157-465	PBX Retirement	\$ 731.00
Decrease	001-157-466	PBX Social Security	\$ 574.00
Decrease	001-901-999	General Fund Balance	\$ 5,000.00
Decrease	001-901-999	Fund Balance Retirement	\$ 488.00
Decrease	001-901-999	Fund Balance Soc. Security	\$ 383.00
Decrease	001-901-999	Fund Balance Insurance	\$ 3,275.00
Increase	001-240-404	EMS Clerical	\$12,500.00
Increase	001-240-465	EMS Retirement	\$ 1,219.00
Increase	001-240-465	EMS Social Security	\$ 957.00
Increase	001-240-468	EMS for Insurance	\$ 3,275.00

The **motion passed** by a unanimous vote. **\*\*See Exhibit F.3\*\***

**4. Acceptance of Authorization to Expend the Avails of the 1 Mill Levy**

Vanessa Lynchard presented the yearly State Tax Commission authorization to expend the avails of the one (1) mill levy as set forth in section 27-39-329(2)(b), Mississippi Code of 1972. Supervisor Eugene Thach made a motion and Supervisor Tommy Lewis seconded the motion to accept the authorization to expend the avails of the 1 mill levy into the minutes. The **motion passed** by a unanimous vote. **\*\*See Exhibit F.4\*\***

**5. Board of Education Request for Assistance at Olive Branch Elementary**

Vanessa Lynchard presented a request from Olive Branch Elementary for a load of dirt for improvements to their campus. Supervisor Jessie Medlin made a motion and Supervisor Jimmy James seconded the motion to authorize Kenny Gunn, Road Manager, to deliver a load of dirt to Olive Branch Elementary. The **motion passed** by a unanimous vote. **\*\*See Exhibit F.5\*\***

**6. Return of Ambulance from Sheriff to EMS**

EMS Director Bobby Storey notified the Board of Supervisors that the Sheriff’s Department no longer wants the ambulance that was transferred to the department on October 4, 1999. Supervisor Jimmy James made the motion and Supervisor Tommy Lewis seconded the motion to return the ambulance back to EMS from the Sheriff’s Department. The **motion passed** by a unanimous vote.

**ITEM F.6, CONTINUED,**

Supervisor Jessie Medlin asked Bobby Storey how many of the old ambulances are workable. Bobby Storey said he did not have a count but all of the ambulances except one is workable. Supervisor Medlin said that the county needs to consider auctioning the ambulances to get them off of the county’s insurance. Bobby Storey asked the Board if the ambulances could be stripped before they are sold. Supervisor Medlin said that would be left up to Bobby Storey’s

discretion.

## G. EXECUTIVE

The “Executive Session” portion of this meeting is presented under the portion of minutes called “Executive Session.

## H. OTHER ISSUES

### 1. EMS - Mutual Aid to Marshall County

EMS Director Bobby Storey informed the Board of Supervisors that DeSoto County is still providing aid to Marshall County. Mr. Storey said that he had met with the County Administrator of Marshall County and he requested assistance until November 1, 1999. He said that the ambulance service will be fully staffed by that date and all problems with the private ambulance service will be resolved.

### 2. Workforce Investment Act

Chancery Clerk Sluggo Davis notified the Board that he had talked to Randy Kelly and was advised that DeSoto County needs to submit something to the Governor today by noon regarding the Workforce Investment Act.

County Administrator David Armstrong said that he talked to Tate County yesterday and Randy Kelly had not spoken to Tate County yet. Mr. Armstrong said that he talked to Bobby Oliver and she said that the employment service will lose at least one employee. Mr. Armstrong said that he had also spoken to Vivian Berryhill and he assured her that he would wait until he heard from her before the Board did anything else. Supervisor Eugene Thach said that the Board has had months to hear something from the WIA Board.

Supervisor John Caldwell asked why DeSoto County should rush to appoint someone to the District Board since DeSoto County will not have a voice in the east anyway.

David Armstrong said that he is against rushing to make a decision on any of it because Randy Kelly has been pushing the issue on the Board. Supervisor Jessie Medlin said his only concern is keeping the Employment Office open. Supervisor Eugene Thach said that he thought Randy Kelly had no intention of closing the Employment Office.

Supervisor Medlin said to hold off doing anything else until October 13, 1999. Supervisor Thach said he felt the Board should have gotten better information so that the Board could make better decisions for DeSoto County. Mr. Armstrong said that the information the Chancery Clerk Sluggo Davis received was from a competing group. Supervisor Thach said he is not blaming anyone but himself for not being more informed on the matter.

Supervisor Eugene Thach made the motion and Supervisor John Caldwell seconded the motion to recess until October 13, 1999 at 9:00 a.m. The **motion passed** by a unanimous vote.

THIS the 6th day of October, 1999, these minutes have been read and approved by the DeSoto County Board of Supervisors.

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Jessie L. Medlin, President  
DeSoto County Board of Supervisors

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